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November 1, 2001

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VIA FAX NO. 539-8799
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VIA FAX NO. (818) 874-1272
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Re: Wayne Berry v. Fleming Companies, Inc., et al., Civil No.
CV 01 00446 SPK LEK in the United States District
Court for the District of Hawaii

Dear Mr. Smith and Ms. Fine:

EXHIBIT 

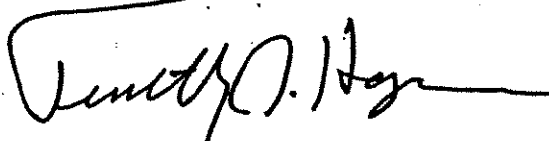


Lex R. Smith, Esq.
Karen L.S. Fine, Esq.
October 31, 2001
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Very truly yours,

LYNCH ICHIDA THOMPSON & KIM

A handwritten signature in black ink, appearing to read "Timothy J. Hogan", written over a horizontal line.

Timothy J. Hogan

TJH:llk
Enclosure
cc: Mr. Wayne Berry